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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/669,771	09/26/2000	Kouichi Mizukami	10517/73	3237

7590 08/26/2002
Kenyon & Kenyon
One Broadway
New York, NY 10004

EXAMINER

BOTTORFF, CHRISTOPHER

ART UNIT	PAPER NUMBER
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3618

DATE MAILED: 08/26/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/669,771

Applicant(s)

MIZUKAMI ET AL.

Examiner

Christopher Bottorff

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 19 June 2002.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-8 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-8 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

The amendment filed June 19, 2002 has been entered. Claims 1-8 are pending.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 1-8 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claims 1 and 7 recite "an ABS actuator" as being an "electrical equipment". However, the remarks to the amendment state that this actuator is a hydraulic component. See lines 1-4 of page 5 of the remarks. If the actuator is a hydraulic component, then it is not an electrical equipment as define by the claims and the claims are unclear. However, the claims do not limit the term "actuator" in any way that would exclude its interpretation as an electrical component, such as a computer control unit. For the purposes of examination, the broadest reasonable interpretation has been applied to the term "actuator," including interpreting it as a control unit.

Similarly, identifying a "junction box" as an "electrical equipment" is unclear. The term "junction box" does not define or imply electrical components, but the box in which electrical components may be stored. Moreover, the claims do not define the junction box as having any structure that would include electronics.

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Claim 1 also defines "a generally centralized region" as a function of the position of the brake booster. However, the position of the brake booster has not been defined in the claims and could be anywhere within the vehicle body. As a result, the generally centralized region may include all of the space within the vehicle body. Since the position of the brake booster cannot be determined with certainty, the location of the electrical equipment cannot be determined and the claims are indefinite.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1 and 6-8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ford Taurus & Mercury Sable Haynes Repair Manual (Taurus) in view of Takayama et al. US 6,119,060.

Taurus teaches a structure in a motor vehicle that includes an engine control computer (ECA; see the discussion in column 3 of page 6-1), a relay block (item 6 in figure 4.2 indicates the presence of relays within the vehicle), a junction box (see the box housing the fuse unit in figure 4.1), an ABS actuator (see the discussion on page 9-16), a meter unit (any instrument panel gauge), a partition wall that separates the engine room and the cabin from each other (depicted in figure 1.2b), and a brake

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system (depicted in figure 1.2b). These components are concentrated within the vehicle body.

Although the claims do not clearly define the generally centralized region, the disclosure suggests that the components are arranged along the longitudinal centerline of the vehicle. Taurus does not disclose at least two of the above components being located along the centerline.

However, Takayama et al. teaches that the practice of concentrating electrical components along the longitudinal centerline and on a dash cross member of a vehicle was old and well known in the art at the time the invention was made. See figures 1 and 2; lines 30-34 of column 3; and lines 36-43 of column 17. From the teachings of Takayama et al., concentrating at least two of the above components of Taurus, such as the engine control computer, the ABS actuator, or the meter unit, along the longitudinal centerline would have been obvious to one of ordinary skill in the art at the time the invention was made. This would improve the efficiency of the assembly process.

Furthermore, rearranging the placement of components within a vehicle would not modify their operation and represents an obvious design choice. See *In re Japikse*, 86 USPQ 70 (CCPA 1950) and *In re Kuhle*, 188 USPQ 7 (CCPA 1975). This rearrangement would improve the efficiency of the assembly process.

Claims 2-5 rejected under 35 U.S.C. 103(a) as being unpatentable over Ford Taurus & Mercury Sable Haynes Repair Manual (Taurus) in view of Takayama et al. US

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6,119,060 as applied to claim 1 above, and further in view of Toshihiro et al. JP 64-30856.

Taurus does not teach the junction box and relay block being constructed as an integral assembly and mounted at least partly in a cowl. However, Toshihiro et al. teaches a vehicle body having a cowl (fig.1 and 2) formed in the vicinity of a partition wall 3, and wherein a relay block (10) and a junction box (4) are formed as an integral assembly and mounted at least partly in the cowl.

It would have been obvious to one of ordinary skill in the art, at the time the invention was made, to make the junction box and relay block of Taurus as an integral unit and place them within a cowl member in the vicinity of the partition wall, as taught by Toshihiro et al., because it would facilitate the check of wiring and the replacement of fuses (Toshihiro, Constitution).

Response to Arguments

Applicant's arguments filed June 19, 2002 have been fully considered but they are not persuasive.

The arguments directed toward the previous terms of rejection are moot in light of the new terms of rejection. Issues raised in these arguments that are relevant to the new terms of rejection are addressed below.

In regard to the arguments directed toward the power window relay of Taurus, Figure 4.2 of Taurus sufficiently suggests that relays are present in the vehicle. Takayama et al. teach the concentration of such electrical components, and

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concentrating the component was an obvious design choice. Toshihiro et al. provide further teaching of relays. Moreover, claims 1 and 6-8 do not require the relays to be concentrated in a generally centralized region. These claims only require the concentration of two components from the claimed list.

Conclusion

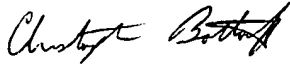
The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Kubota et al. and Ichikawa et al. disclose electrical component placements in vehicles. Adduci et al. and Sekido et al. disclose junction boxes. Hashimoto et al. and Johnson et al. disclose cowls in vehicles.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Christopher Bottorff whose telephone number is (703) 308-2183. The examiner can normally be reached on Mon.-Fri. 7:30 a.m. - 4:00 p.m..


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Brian Johnson can be reached on (703) 308-0885. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 305-7687 for regular communications and (703) 305-7687 for After Final communications.

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-1113.



Christopher Bottorff
August 16, 2002


8/21/02